
LHB PACIFIC LAW PARTNERS LLP

Via E-Filing
And Fax (415-522-3636)

6 April 2006

Hon. Joseph C. Spero
United States Magistrate Judge
Courtroom A, 15th Floor
1301 Clay Street
Oakland, CA 94612

Re: *Bosch v. First Financial, et al.*
Case No. C 04-3837 SBA
OUR FILE NO.: 1130-101

Dear Magistrate Judge Spero:

A settlement conference in this matter is scheduled before your honor on April 18, 2006. The parties jointly wish to request that it be continued to a date in mid-May to late-May 2006. The trial date is June 5, 2006.

The reason for the request is that both parties agree that disposition of the case turns on a purely legal matter involving insurance coverage. Currently pending are the parties' cross motions for summary judgment on the coverage issue, with a hearing date of May 2, 2006, before Judge Armstrong.

The question of law at hand is whether, based on undisputed material facts, the defendant insurer's liability insurance policy provided coverage for the underlying motor vehicle incident in which plaintiff suffered personal injury. Defendant contends that an exclusion in its insurance policy bars coverage for the incident and injuries and therefore that it is entitled to summary judgment in its favor as a matter of law. Plaintiff contends that the exclusion does not apply and that defendant owes him insurance contract benefits under the policy as a matter of law, and plaintiff contends that damages in this case can be determined as a matter of law.

If the settlement conference proceeds on the date currently calendared (April 18) there would be little to discuss about settlement because there would

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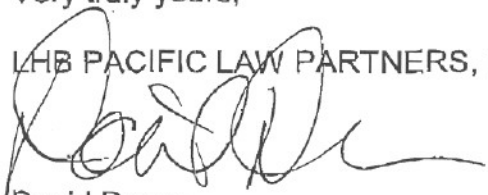
have been no ruling by the court on the pending dispositive motions on the legal issues that will dramatically affect the outcome of this matter. The parties are not willing to negotiate toward any settlement until the court has ruled on the matters of law raised in the motions. Therefore, the parties agree that there would be absolutely no benefit in wasting your honor's time at a settlement conference until Judge Armstrong has ruled on those matters.

For these reasons, by this letter the parties jointly request a continuance of the settlement conference from April 18 until some date available on your calendar in mid- to late-May 2006.

Thank you for your consideration of this request.

Very truly yours,

LHB PACIFIC LAW PARTNERS, LLP

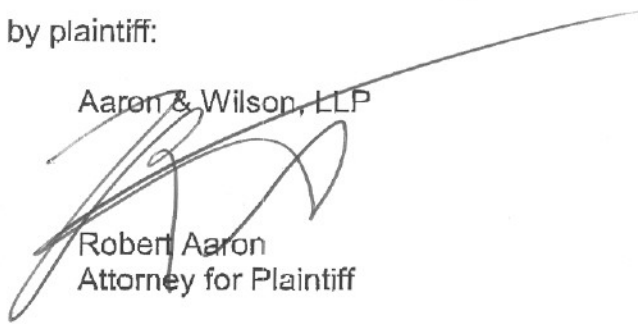

David Demo
Attorney for Defendant

Dated: April 6, 2006

So stipulated and requested by plaintiff:

Dated: April 6, 2006

Aaron & Wilson, LLP


Robert Aaron
Attorney for Plaintiff

The Settlement Conference in this matter has been continued to May 15, 2006, at 9:30 a.m. Settlement Conference Statements shall be lodged with Chambers no later than May 1, 2006.

Dated: April 18, 2006

